

109TH CONGRESS
2D SESSION

S. 3844

To provide for the investment of all funds collected from the tariff on imports of ethanol in the research, development, and deployment of biofuels, especially cellulosic ethanol produced from biomass feedstocks.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 5, 2006

Mr. NELSON of Nebraska introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To provide for the investment of all funds collected from the tariff on imports of ethanol in the research, development, and deployment of biofuels, especially cellulosic ethanol produced from biomass feedstocks.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Biofuels Investment
5 Trust Fund Act”.

6 **SEC. 2. BIOFUELS INVESTMENT TRUST FUND.**

7 (a) ESTABLISHMENT.—

1 (1) IN GENERAL.—There is established in the
2 Treasury of the United States a trust fund, to be
3 known as the “Biofuels Investment Trust Fund”
4 (referred to in this Act as the “Trust Fund”), con-
5 sisting of such amounts as may be transferred to the
6 Trust Fund under paragraph (2).

7 (2) TRANSFER.—Beginning on January 1,
8 2007, the Secretary of the Treasury shall transfer to
9 the Trust Fund, from amounts in the general fund
10 of the Treasury, such amounts as the Secretary of
11 the Treasury determines to be equivalent to the
12 amounts received in the general fund that are attrib-
13 utable to duties received on articles entered under
14 heading 9901.00.50 of the Harmonized Tariff
15 Schedule of the United States.

16 (b) EXPENDITURES FROM TRUST FUND.—

17 (1) IN GENERAL.—The Secretary of Energy, in
18 consultation with the Secretary of Agriculture and
19 the Secretary of the Treasury, shall use amounts in
20 the Trust Fund to provide financial assistance for
21 research, development, and deployment programs for
22 biofuels to increase the amount and diversity of
23 biofuels produced in the United States and made
24 available to consumers, especially for cellulosic eth-
25 anol production from biomass feedstocks.

1 (2) REQUIREMENTS.—The Secretary of Energy
2 shall ensure that amounts made available under
3 paragraph (1) shall be used only—

4 (A) to provide financial assistance to farm-
5 ers, producers, biorefiners, researchers, univer-
6 sities, and other persons or entities involved in
7 the research, development, deployment, or pro-
8 duction of biofuels, especially the production of
9 biomass feedstock for cellulosic ethanol produc-
10 tion; or

11 (B) as otherwise directed by Congress to
12 advance research, development, and deployment
13 of biofuels, especially cellulosic ethanol pro-
14 duced from biomass feedstocks.

15 (c) INVESTMENT OF AMOUNTS.—

16 (1) IN GENERAL.—The Secretary of the Treas-
17 ury shall invest such portion of the Trust Fund as
18 is not, in the judgment of the Secretary of the
19 Treasury, required to meet current withdrawals.

20 (2) INTEREST-BEARING OBLIGATIONS.—Invest-
21 ments may be made only in interest-bearing obliga-
22 tions of the United States.

23 (3) ACQUISITION OF OBLIGATIONS.—For the
24 purpose of investments under paragraph (1), obliga-
25 tions may be acquired—

1 (A) on original issue at the issue price; or

2 (B) by purchase of outstanding obligations

3 at the market price.

4 (4) SALE OF OBLIGATIONS.—Any obligation ac-
5 quired by the Trust Fund may be sold by the Sec-
6 retary of the Treasury at the market price.

7 (5) CREDITS TO TRUST FUND.—The interest
8 on, and the proceeds from the sale or redemption of,
9 any obligations held in the Trust Fund shall be
10 credited to and form a part of the Trust Fund.

11 (d) TRANSFERS OF AMOUNTS.—

12 (1) IN GENERAL.—The amounts required to be
13 transferred to the Trust Fund under subsection
14 (a)(1) shall be transferred at least quarterly from
15 the general fund of the Treasury to the Trust Fund
16 on the basis of estimates made by the Secretary of
17 the Treasury.

18 (2) ADJUSTMENTS.—Proper adjustment shall
19 be made in amounts subsequently transferred to the
20 extent prior estimates were in excess of or less than
21 the amounts required to be transferred.

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